NOTIFICATION.

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No. L.D. 1518—Legis. 3-51-35, dated Bangalore, 12th November 1951.

Ordered that the Representation of the People (Second Amendment) Bill, 1951 (Central Bill No. 82 of 1951), published in the *Gazette of India*, Part II, Section 2, dated the 6th October 1951, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,
Legal Remembrancer and
Secretary to Government,
Law Department.

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The following Bills were introduced in Parliament on the 1st October, 1951 :—

BILL No. 82 OF 1951

A Bill further to amend the Representation of the People Act, 1950, and the Representation of the People Act, 1951.

BE it enacted by Parliament as follows :—

PART I.

PRELIMINARY.

1. Short title.—This Act may be called the Representation of the People (Second Amendment) Act, 1951.

PART II.

AMENDMENT OF ACT XLIII OF 1950.

2. Amendment of section 2, Act XLIII of 1950.—In section 2 of the Representation of the People Act, 1950 (hereinafter in this Part referred to as the principal Act), after clause (f) the following clause shall be inserted, namely :—

"(ff) 'Part B tribal areas' means the tribal areas of Assam specified in Part B of the table appended to paragraph 20 of the Sixth Schedule to the Constitution;".

3. Amendment of section 3, Act XLIII of 1950.—In sub-section (2) of section 3 of the principal Act,—

(*a*) after the words "to each State" the words "and the areas" shall be inserted;

(*b*) after the words "opposite to that state" the words "and those areas respectively" shall be added.

4. Amendment of section 4, Act XLIII of 1950.—In sub-section (1) of section 4 of the principal Act, for the words "and to the Andaman and Nicobar Islands" the words ", to the Andaman and Nicobar Islands and to the Part B tribal areas" shall be substituted.

5. Amendment of the First Schedule, Act XLIII of 1950.—In the First Schedule to the principal Act,—

(*a*) in the heading to column 1, after the words "Name of State" the words "or areas" shall be inserted;

(*b*) in columns 1 and 2, after the entries under the sub-heading "Part C States" the following sub-heading and entries shall be inserted, namely :—

"1	2
Areas	
12. Part B tribal areas.	1";

(*c*) in column 2, for the figures "496" the figures "497" shall be substituted.

6. Amendment of the Sixth Schedule, Act XLIII of 1950.—In the Sixth Schedule to the principal Act, under the sub-heading "Himachal Pradesh"—

(*a*) the entry "8. Besi." shall be omitted;

(*b*) entries 9 to 15 shall be re-numbered as entries 8 to 14, respectively

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(c) after entry 14 as so re-numbered, the following entry shall be inserted, namely :—

"15. Hesi."

7. Amendment of the Seventh Schedule, Act XLIII of 1950.—In the Seventh Schedule to the principal Act, for the entries 1 to 10 under the sub-heading "Vindhya Pradesh", the following entries shall be substituted, namely :—

"1. Agariya,	8. Kamar,
2. Baiga,	9. Khairwar,
3. Bedia,	10. Majhi,
4. Bhil,	11. Mawasi,
5. Bhumiya,	12. Panika,
6. Biar (Biyar),	13. Pao,
7. Gond,	14. Sonr."

PART III.

AMENDMENT OF ACT XLIII OF 1951.

8. Amendment of section 4, Act XLIII of 1951.—In section 4 of the Representation of the People Act, 1951 (hereinafter in this Part referred to as the principal Act), for the words "or to the Andaman and Nicobar Islands" the words ", to the Andaman and Nicobar Islands or to the Part B tribal areas" shall be substituted.

9. Amendment of section 39, Act XLIII of 1951.—In Sub-section (2) of section 39 of the principal Act, after the words and figures "under section 12 or section 18" the words "or under any of the provisions of this Part" shall be inserted.

10. Amendment of section 58, Act XLIII of 1951.—In section 58 of the principal Act—

(a) to sub-section (1), the following proviso shall be added, namely :—

'Provided that where a polling station has more than one polling booth and any such ballot box as aforesaid was used at one of such polling booths, the election to which such ballot box relates shall be void only in respect of the polling at the polling booth at which such box was used and no further.';

(b) in sub-section (2)—

(i) after the words "at the place fixed for the poll" the words "or at any polling booth" shall be inserted ;

(ii) after the words "or in such place fixed for the poll" the words "or in such polling booth, as the case may be" shall be inserted ;

(c) in sub-section (3), after the words "place fixed for the poll" the words "or in such polling booth" shall be inserted.

Statement of objects and reasons.

Under the Constitution the tribal areas specified in Part B of the Table appended, to paragraph 20 of the Sixth Schedule thereto are comprised within the State of Assam but their administration is carried on by the President through the Governor of Assam as an agent on the same footing as a territory specified in Part D of the First Schedule. These areas have accordingly been taken out of the purview of clause (1) of article 81 and article 170 of the Constitution so far as Assam is concerned by the Constitution (Removal of Difficulties) Order No. VIII

made by the President under article 392 of the Constitution. Clause (2) of article 81 and article 82 of the Constitution were also amended by the said Order so as to confer power on Parliament to provide for the representation of those areas in the House of the People. No provision has however been made in the Representation of the People Act, 1950, for the representation of these areas in the House of the People. Clauses 2 to 5 of the Bill seek to make provisions for the representation of the said areas in the House of the People. Clause 8 of the Bill seeks to make a consequential amendment in section 4 of the Representation of the People Act, 1951 (XLIII of 1951).

2. Clauses 6 and 7 of the Bill seek to correct certain minor mistakes in the list of Scheduled Castes in Himachal Pradesh and in the list of Scheduled Tribes in Vindhya Pradesh contained respectively in the Sixth and Seventh Schedules to the Representation of the People Act, 1950.

3. Opportunity has also been taken to make certain essential amendments in sections 39(2) and 58 of the Representation of the People Act, 1951.

Clause 9 which amends sub-section (2) of section 39 of the said Act seeks to supply an omission in the said sub-section.

Section 58 provides for the taking of a fresh poll in a polling station in the case where any ballot box used at such polling station has been destroyed or tampered with. This provision will necessitate the taking of a fresh poll in the whole of the polling station even in the case where a polling station has more than one polling booth and the ballot box which has been so destroyed or tampered with had been used at one of such booths. The amendment proposed in section 58 by clause 10 of the Bill seeks to restrict the holding of a fresh poll in such cases only to the polling booth where the ballot box which has been destroyed or tampered with was used so that the voters who were entitled to vote at such polling booth will only be required to vote during such fresh election.

NEW DELHI,
The 28th September, 1951.

B. R. AMBEDKAR.

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